

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, APRIL 22, 2021

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Councilman Dayley

Pledge of Allegiance: Councilwoman Fogle

Present at City Hall and Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Glenn Dayley, Connie Fogle, and Catherine Nielsen who joined via internet around 7:30 p.m.; Public Works Director Arlynn Jacobson; City Building Inspector and P&Z Administrator Quinton Owens; City Engineer Dick Dyer; Code Enforcement Officer Jon Turner; Chairman Dave Thompson of the Planning and Zoning Commission; Attorney Chase T Hendricks; Community Development Specialist Kurt Hibbert; District IT Spencer Cook; Citizens Lawrence Nielsen, and others who may have joined electronically but not identified.

WELCOME: Mayor Adams conducted the meeting and welcomed everyone present. The meeting was held live over the internet and those who wished to be present were invited to attend. Social distancing guidelines were followed. No citizens attended the meeting in person.

PUBLIC HEARING (Proposed Dog License Procedures and Fee Revisions): The mayor asked if there had been any ex-parte communications or conflicts of interest from the City Council. They indicated there were no ex-parte communications or conflicts of interest.

Staff Presentation: Code Enforcement Officer Jon Turner stated that the dog licensing would change to a one-time registration and tag fee instead of an annual registration and tags. Violation fees would also increase.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing. There were no written comments submitted.

In Favor: None

Neutral: None

Against: None

Public hearing closed.

REGULAR COUNCIL MEETING CONVENED: 6:40 PM

ORDINANCE 363_2021 DOG LICENSE PROCEDURE AMENDMENT: The council approved the proposed dog license procedure amendments.

“DOG LICENSING AND TAG RENEWAL PROCEDURE AMENDMENTS.”

It was moved by Councilwoman Fogle and seconded by Councilwoman Ball to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Fogle

Those voting nay: None

Councilwoman Nielsen was excused

Ordinance No. 363_2021 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 363_2021 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

RESOLUTION NO. 2021-1: (A Resolution to Amend Dog License Fees and Penalties) –

The council approved the amended dog license fees and penalties.

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Fogle to approve the amended dog license fees and penalties; motion carried.

Thereupon, the Mayor declared the motion passed. A copy of said resolution is attached hereto marked “Attachment 1”.

CONSENT AGENDA: The minutes were removed from the Consent Agenda.

MOTION: It was moved by Councilman Dayley and seconded by Councilwoman Fogle to approve the 4-8-21 Minutes as revised and to include Councilwoman Ball’s Business Park sales history; motion carried.

BUSINESS PARK SALES HISTORY: As a follow up to the April 8 meeting research in the Business Park revealed that previous lots sold for less than the listed price as indicated.

Below is a listing of the lots sold previously in 2018:

May 24, 2018, Lot 9 Blk 3 - Listed \$25,000 – Offered \$20,000, Countered \$22,500.

Aug 9, 2018 – Lot 1 Blk 3 – Listed \$25,000 – Offered \$21,000, Countered \$23,500.

Aug 23, 2018 – Lot 10 Blk 3 – Listed \$29,900 – Offered \$25,000, Countered \$27,000.

SUGAR SALEM UTILITY ENCROACHMENT AGREEMENT:

The school district needs to extend fiber optic and irrigation line across Third North to connect the new Jr. High project which requires an utility encroachment agreement with the city. City Attorney Chase Hendricks added additional language for replacement standards which are also explained in the required Excavation Permits. The city also has an agreement with the school to use their fiber optic cable. The school will be notified of the changes.

Councilwoman Fogle disclosed that she has a family member who is living in the house on the corner of North Park and Third North that the school was looking at buying for a shop and right of way.

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Fogle to approve the revised encroachment agreement. Thereupon, the Clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Fogle

Those voting nay: None
Councilwoman Nielsen was excused
Thereupon, the Mayor declared the motion passed.

PUBLIC WORKS REPORT: Arlynn Jacobson reported on the following items:

City Dumpster: The city dumpster is back with a biweekly dump schedule to keep up with demand. The city has cleaned up around the dumpster area and hauled a gravel base.

Annual Backflow Device Inspection: Mr. Jacobson will bid the backflow inspections but questioned how to test the noncompliant systems and entering onto private property. The city may supply city vests to those testing the systems. Water can also be shut off until compliant.

Road Maintenance: The crack seal bid for several streets has been bid and awarded. Mr. Jacobson is pleased with the results as the bids were lower than he anticipated. The slurry seal bid is due Monday and will be laid over the crack seals. Mr. Jacobson is also planning on chip sealing 7th and 9th North after the potholes are repaired. Rexburg has asked if they can piggyback off our bid for the chip seal.

Emergency App: A minor water leak was called in over the weekend but the emergency contact dial did not function properly. It has now been fixed. Mr. Jacobson will give the council the public works department contact information.

Dump Truck: \$2600 worth of repairs are needed on the dump truck to fix brakes and other issues.

Speed Bumps: Mr. Jacobson will meet with the school board to see what they prefer on the speedbumps whether they should be put out now until the winter months or wait until school starts again in the fall. Traffic will be monitored over the summer. The Rural Planning Organization (RPO) did a traffic study a few years ago and found that South Railroad Avenue had the largest number of speeding offenders. The city owns a speed station which can be repaired and set out at various locations to help slow down traffic.

PLANNING AND ZONING (P&Z) REPORT: Dave Thompson reported that due to lack of a quorum last week P&Z was cancelled. He reported on the following items.

Comprehensive Plan Survey: Mr. Thompson reported that well over half of the community participated in the recent survey. He reviewed a draft copy of the survey with the council. He is still going through over 2,000 pages of information.

Affordable Housing: Many cities are now allowing “tiny homes” since there is a shortage of affordable housing. Providing affordable housing builds equity and invests in the community. Idaho is receiving more renters than any other state.

Area of Impact: The commission will set a public hearing date soon for annexation of the businesses along Highway 33 south of town. There is only one business that is reluctant.

Pop Shop: Owners of the proposed seasonal “pop shop” next to Brad’s Exxon are coming tomorrow to work out details and get permits.

Old Farm Estates Development Agreement: Mr. Thompson and Kurt Hibbert have been working with the developers to get a good master plan and development agreement. The meetings have been encouraging. The door is wide open and the dialogue has been positive. They hope to have more information for the council by the next meeting.

PUBLIC COMMENT: None

EXECUTIVE SESSION:

8:25 P.M. It was moved by Councilwoman Ball and seconded by Councilwoman Fogle to move into executive sessions pursuant to Idaho Code 74-206(1)(c), "Real property interest acquisition deliberations" and Idaho Code 74-206(1)(f) "Communicate with legal counsel regarding pending/imminently-likely litigation". Motion carried. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen

Those voting nay: None

Thereupon, the mayor declared the motion passed.

9:25 P.M. The executive sessions ended for Idaho Code 74-206(1) (c) and Idaho Code 74-206(1)(f). No decisions were made.

OLD FARM ESTATES DEVELOPMENT AGREEMENT: See report above under Planning and Zoning report.

OLD FARM ESTATES DIVISION #4 FINAL PLAT: No report.

GENERAL BUSINESS:

Arbor Day Proclamation:

MOTION: It was moved by Councilman Dayley and seconded by Councilwoman Nielsen to approve and authorize the mayor to sign the Arbor Day Proclamation; motion carried.

Surety Bonds: An "Irrevocable Line of Credit" is best use for surety than other available methods. Surety bonds are issued to ensure development is completed on a project. A staff report will be given at the next meeting on the process.

Dalling Water Rights Transfer for School District: Water rights are more valuable than land. The Dalling Annexation Agreement gives to the city the water shares attached to the property in proportion as the land is developed. City Attorney Chase Hendricks will work up an agreement to lease back to the school those available shares for the new Jr. High.

Tennis Courts Grant: The usual funding grants for tennis courts were eliminated this year due to COVID 19. However, there is another possible grant available looking for a project that would help fund the tennis courts repair and maintenance. The city will work with the school. The deadline for the application is due and the information will need to be gathered as soon as possible.

Backflow Device Inspections: See above under Public Works report.

MAYOR AND COUNCIL REPORTS: Councilors Fogle, Dayley, and Nielsen reported on the following items:

AIC Training Reminder: Association of Idaho Cities (AIC) Spring District Workshop, Wednesday, April 28, 2021 9:00 am – 3:00 pm. The council and mayor are registered.

4th of July Float: The 4th of July committee is scheduled to meet on the 27th to start putting together the float. The float is planned and assignments have been made. Several community members are helping by growing grain in milk cartons. The committee asked that the float budget be reported as a separate line item from the Easter Egg Hunt.

Sugar Days: Councilman Dayley reported that recruiting people to help with the Sugar Days activities has been unsuccessful. He is asking for ideas of those who would help.

Meeting adjourned at 10:05 p.m.

Signed: _____
Steven Adams, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

**CITY COUNCIL PUBLIC HEARING
THURSDAY, APRIL 22, 2021, 6:30 P.M.
(DOG LICENSE PROCEDURES AND FEE REVISIONS)
ATTENDANCE SHEET**

NAME ADDRESS	PLEASE PRINT	FOR	NEUTRAL	AGAINST	WANT TO TESTIFY	DO NOT WANT TO TESTIFY
1	Spencer Cook					X
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						

RESOLUTION NO. 2021-1

“A RESOLUTION TO AMEND DOG LICENSE FEES AND PENALTIES”

WHEREAS, the Council of the City of Sugar City, Idaho desires to modify existing fees and infraction penalties; and

WHEREAS, under section XVI of Ordinance No. 288, fees and infraction penalties are to be established by resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

SECTION V. LICENSE FEE: A one-time license fee of \$15 for each dog up to two dogs per household. Spayed or neutered dogs are \$10 each. Three or more dogs require an additional annual kennel license fee of \$10 for a non-commercial license, \$20 for a commercial license. The owner may also provide their own metal tag stamped with the city license number and year of issue. Residents who have purchased tags prior to the code revision effective date shall replace the tag(s) before 31 December 2021 at no extra cost and refund of the difference, if any.

SECTION VI. REPLACEMENT OF DOG TAG(S): Replacement of a dog tag is \$8 per tag for each dog.

SECTION VII(a). UNLICENSED DOG IMPOUNDMENT FEES: Impound fee is \$100, plus \$15 a day for boarding.

SECTION VII(b). LICENSED DOG IMPOUNDMENT FEES:

	<u>TAG ON COLLAR</u>	<u>NO TAG ON COLLAR</u>
FIRST OFFENSE	\$50	\$75
SECOND OFFENSE	\$75	\$100
THIRD OFFENSE	\$100	\$150

(plus \$15/day for boarding with any offense)

SECTION VII (d). DISPOSAL OF DOGS: Dog(s) will be held up to 24 hours at the Sugar City pound before being turned over to the Madison County Animal Control. Owners will owe for any penalties and boarding fees, plus the Madison County pound fee to admit the dog(s).

ALL OTHER VIOLATIONS: Infractions of Chapter 1 of Title 4 of the City Code (Ordinance No. 288) shall be assessed a penalty of \$100. If the infraction continues, each day's violation shall be a separate offense. Misdemeanors shall be prosecuted in the Magistrate's Court of the Seventh Judicial District of the State of Idaho in and for Madison County, with penalties not to exceed the limits set forth in section 1-4-1 of the City Code.

PASSED by the Council of the City of Sugar City on this 22nd day of April, 2021

APPROVED by the Mayor of the City of Sugar City on this 22nd day of April, 2021.

(SEAL)

Steven Adams,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk-Treasurer